



DEPARTMENT OF LABOR

Employment and Training Administration

Employment and Training Administration (ETA) Program Year (PY) 2023

Workforce Innovation and Opportunity Act (WIOA) Section 167, National

Farmworker Jobs Program (NFJP) Grantee Allotments

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice; request for comments.

SUMMARY: This notice announces allotments for Program Year (PY) 2023 for the National Farmworker Jobs Program (NFJP).

DATES: The PY 2023 NFJP allotments become effective for the grant period that begins July 1, 2023. Written comments on this notice are invited and must be received on **[INSERT 14 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Comments are accepted via email to NFJP@dol.gov. Please enter “PY23 National Farmworker Jobs Program Grantee Allotments Public Comment” in the subject line of the email.

FOR FURTHER INFORMATION CONTACT: Steven Rietzke, Chief, Division of National Programs, Tools and Technical Assistance, Office of Workforce Investment, at 202–693–3980. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: This notice is published pursuant to Section 182(d) of the WIOA, Prompt Allotment of Funds.

I. Background

The Department is announcing preliminary PY 2023 allotments for the NFJP. This notice provides information on the amount of funds available during PY 2023 to state service areas awarded through the PY 2020 Funding Opportunity Announcement (FOA) for the NFJP Career Services and Training and Housing Grants. The allotments

are based on the funds appropriated in the Consolidated Appropriations Act, 2023, Public Law 117-328 (from this point forward will be referred to as the “the Act”).

In appropriating these funds, Congress provided \$90,134,000 for formula grants (of which \$90,032,000 was allotted after \$102,000 was set aside for program integrity), \$6,591,000 for migrant and seasonal farmworker housing (of which \$6,584,000 was allotted after \$7,000 was set aside for program integrity and of which not less than 70 percent shall be for permanent housing), and another \$671,000 was set aside for discretionary purposes. The Housing grant allotments are distributed as a result of a competition and according to language in the appropriations law requiring that of the total amount available, not less than 70 percent shall be allocated to permanent housing activities, leaving not more than 30 percent to temporary housing activities.

This notice includes the following sections:

- Section II of this notice provides a discussion of the data used to populate the formula.
- Section III describes the hold-harmless provision for the implementation year.
- Section IV describes minimum funding provisions to address State service areas that would receive less than \$60,000.
- Section V describes the application of the formula and the hold-harmless provision using preliminary state allotments for PY 2023.

II. Description of Data Files and Allotment Formula

As with all state planning estimates since 1999, the PY 2023 estimates are based on four data sources: 1) State-level, 2017 hired farm labor expenditure data from the United States Department of Agriculture’s (USDA) Census of Agriculture (COA); 2) regional-level, 2017 average hourly earnings data from the USDA’s Farm Labor Survey; 3) regional-level, 2010-2018 demographic data from the ETA’s National Agricultural

Workers Survey (NAWS); and, 4) 2015-2019 (5-year file) data from the United States Census Bureau's American Community Survey (ACS).

The formula's original methodology is described in the *Federal Register* notice 64 FR 27390, May 19, 1999. In PY 2018, ETA incorporated two modifications to the allotment formula to provide more accurate estimates of each state service area's relative share of persons eligible for the program. The formula also used updated data from each of the four data files serving as the basis of the formula since 1999. The revised formula methodology is described in the *Federal Register* notice 83 FR 32151, July 11, 2018. In PY 2021, ETA incorporated two modifications to the allotment formula. These modifications are described in *Federal Register* notice 86 FR 32063, June 16, 2021. The *Federal Register* notices are accessible at <https://www.federalregister.gov/>.

The Department will continue to apply the modifications that were incorporated in the PY 2021 allotments to the PY 2023 allotments, including the expansion to include farmworkers who are in families with total family incomes at or below 150 percent of the poverty line rather than the higher of the poverty line or 70 percent of the lower living standard income level. ETA will subsequently revise the PY 2024 guidance regarding the definition of "low-income individual" as needed if the same provision is not included in subsequent appropriations.

III. Description of the Hold-Harmless Provision

ETA will continue the hold-harmless provision as instituted in PY 2018. The hold-harmless provision provides for a stop loss/stop gain limit to transition to the use of the updated data. This approach is based on a state service area's previous year's allotment percentage, which is its relative share of the total formula allotments. The stop gain provision provides that no state service area will receive an amount that is more than 150 percent of their previous year's allotment percentage. The staged transition of the hold-harmless provision is as follows:

- (1) In PY 2021, each state service area received an amount equal to at least 95 percent of their PY 2020 allotment percentage, as applied to the PY 2021 formula funds available.
- (2) In PY 2022, each state service area received an amount equal to at least 90 percent of their PY 2021 allotment percentage, as applied to the PY 2022 formula funds available.
- (3) In PY 2023, each state service area will receive an amount equal to at least 85 percent of their PY 2022 allotment percentage, as applied to the PY 2023 formula funds available.

In PY 2024, since the Department has a responsibility to use the most current and reliable data available, amounts for the new awards will be based on updated data from the sources described in Section II, pending their availability. At that time, the Department will determine whether the changes to state allotments are significant enough to warrant another hold-harmless provision. Otherwise, allotments to each state service area will be for an amount resulting from a direct allotment of the proposed funding formula without adjustment.

IV. Minimum Funding Provisions

A state area that would receive less than \$60,000 by application of the formula will, at the option of the DOL, receive no allotment or, if practical, be combined with another adjacent state area. Funding below \$60,000 is deemed insufficient for sustaining an independently administered program. However, if practical, a state jurisdiction that would receive less than \$60,000 may be combined with another adjacent state area.

V. Program Year 2023 Preliminary State Allotments

The state allotments set forth in the Table appended to this notice reflect the distribution resulting from the allotment formula described above. For PY 2022,

\$88,160,000 was allotted for career services and training grants, \$6,447,000 was allotted for housing grants, and \$657,000 was retained for other discretionary purposes.

For PY 2023, the funding level provided for in the Act for the migrant and seasonal farmworker program is \$97,396,000. Congress provided \$90,134,000 for formula grants (of which \$90,032,000 was allotted after \$102,000 was set aside for program integrity), \$6,591,000 for migrant and seasonal farmworker housing (of which \$6,584,000 was allotted after \$7,000 was set aside for program integrity and of which not less than 70 percent shall be for permanent housing), and another \$671,000 was set aside for other discretionary purposes.

For purposes of illustrating the effects of the updates to the allotment formula, columns 2 and 3 show the state allotments with the application of the 90 percent hold-harmless for PY 2022 and 85 percent hold-harmless for PY 2023. The dollar difference between PY 2022 and PY 2023 allotments is shown in column 4. The percent difference is reported in column 5.

Brent Parton,

Acting Assistant Secretary,

Employment and Training, Labor.

U. S. Department of Labor
Employment and Training Administration
National Farmworker Jobs Program
Career Services and Training Grants
PY 2023 Allotments to States

State	PY 2022 90% StopLoss/ 150% StopGain	PY 2023 85% StopLoss/ 150% StopGain	\$ Difference	% Difference
Total	\$88,160,000	\$90,032,000	\$1,872,000	2.12%
Alabama	776,212	800,937	24,725	3.19%
Alaska	-	-	-	0.00%
Arizona	2,553,478	2,634,816	81,338	3.19%
Arkansas	1,265,495	1,305,806	40,311	3.19%
California	23,164,574	23,902,460	737,886	3.19%
Colorado	1,763,318	1,819,486	56,168	3.19%
Connecticut	531,602	548,535	16,933	3.19%
Delaware	163,949	169,171	5,222	3.19%
Dist of Columbia	-	-	-	0.00%
Florida	3,328,614	3,266,891	(61,723)	-1.85%
Georgia	1,756,823	1,812,785	55,962	3.19%
Hawaii	284,832	247,248	(37,584)	-13.20%
Idaho	2,327,447	2,401,585	74,138	3.19%
Illinois	1,939,999	2,001,796	61,797	3.19%
Indiana	1,303,529	1,345,052	41,523	3.19%
Iowa	1,863,100	1,922,448	59,348	3.19%
Kansas	1,318,690	1,360,695	42,005	3.19%
Kentucky	923,511	864,671	(58,840)	-6.37%
Louisiana	829,992	856,431	26,439	3.19%
Maine	432,739	446,523	13,784	3.19%
Maryland	552,597	570,199	17,602	3.19%
Massachusetts	543,815	561,137	17,322	3.19%
Michigan	2,199,069	2,269,118	70,049	3.19%
Minnesota	1,668,177	1,721,315	53,138	3.19%
Mississippi	924,370	953,815	29,445	3.19%
Missouri	1,293,215	1,334,410	41,195	3.19%
Montana	741,784	765,413	23,629	3.19%
Nebraska	1,322,506	1,364,634	42,128	3.19%
Nevada	237,476	245,041	7,565	3.19%
New	154,787	159,717	4,930	3.19%

Hampshire				
New Jersey	816,449	842,456	26,007	3.19%
New Mexico	1,132,485	1,168,559	36,074	3.19%
New York	2,300,453	2,373,732	73,279	3.19%
North Carolina	2,333,344	2,179,435	(153,909)	-6.60%
North Dakota	780,688	805,556	24,868	3.19%
Ohio	1,524,192	1,572,744	48,552	3.19%
Oklahoma	928,725	958,308	29,583	3.19%
Oregon	2,340,449	2,415,002	74,553	3.19%
Pennsylvania	1,868,860	1,928,391	59,531	3.19%
Puerto Rico	2,140,963	2,112,901	(28,062)	-1.31%
Rhode Island	68,784	70,975	2,191	3.19%
South Carolina	717,495	718,772	1,277	0.18%
South Dakota	706,000	728,488	22,488	3.19%
Tennessee	791,308	686,894	(104,414)	-13.20%
Texas	4,671,373	4,788,352	116,979	2.50%
Utah	693,559	715,651	22,092	3.19%
Vermont	217,113	224,029	6,916	3.19%
Virginia	886,698	811,392	(75,306)	-8.49%
Washington	4,783,367	4,935,737	152,370	3.19%
West Virginia	137,443	119,307	(18,136)	-13.20%
Wisconsin	1,823,100	1,881,174	58,074	3.19%
Wyoming	331,452	342,010	10,558	3.19%